

December 3, 2002

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

<u>Ex Parte Presentation:</u> Telecommunications Relay Services - Docket 98-67
Ultratec Petition for Clarification on the Provision of and Cost Recovery for CapTel, An Enhanced VCO Service
<u>Discussion points:</u> 1) CA competency in typing, grammar, spelling, interpreting typed ASL; 2) Provision of oral-to-typed CA tests; 3) CA gender preferences; 4) TRS capable of communicating with ASCII and Baudot format. 5) CA cannot refuse single or sequential calls.
<u>Questions raised during the conference call:</u> 6) Calls from hearing party to CapTel users; 7) Emergency call handling.

Dear Ms. Dortch:

On December 2, 2002, Rob Engelke, Kevin Colwell, Jayne Turner, Pam Holmes of Ultratec, Paul Ludwick of Sprint, and Janet Sievert, Cheryl King, Erica Myers and Greg Hlibok of the FCC met via conference call.

Ultratec submitted additional information on our Petition for Clarification on the Provision of and Cost Recovery for CapTel, An Enhanced VCO Service. Discussion covered certain FCC TRS rules we find not applicable to CapTel or in need of modified interpretation based on how CapTel operates, and wish to confirm the same with the FCC based on the previous explanations of how CapTel works filed with the Commission.

Ultratec's petition dated April 12, 2002 for recognition of CapTel as an enhanced form of VCO and waiver of all minimum requirements that are not applicable to CapTel include: Hearing Carryover (HCO), Video Relay Service (VRS), and Speech-to-Speech (STS). We have identified other sections of the rule, which we feel merit discussion to assure all non-applicable rules are noted in your final action on this petition.

Discussion points:

- 1) Communication Assistants competency in typing, grammar, spelling, interpreting typed ASL.

Because CapTel text is produced using voice recognition, CapTel CAs do not, for the most part, rely on their own typing skills, grammar or spelling. The text transcription, grammar, and spelling are, for the great majority of the text, dependent on the voice recognition system.

One way to interpret this requirement's application to CapTel is to look at the Commission's statements in their Improved Services Order of March 6, 2002. The Commission's Order and TRS rules state, "Technological aids may be used to reach the required typing speed." CapTel's *typing speed* output is highly enhanced by technological aids. In the Improved Services Order the Commission made a point of noting that their new requirement of 60 words per minute typing speed was feasible because there are "technological solutions that are now available that can increase the speed of transmission." (Improved Services Order, March 6, 2000, para. 73, n. 150) In support of this statement, the Commission cited to Ultratec's comments, which discussed Fastran, the voice recognition component of CapTel as an example of such technological means. Technological aids such as Fastran provide text transcription that relies more heavily on technology for grammar, spelling and the speed the text is produced. In line with the Commission's rules, Ultratec asks that, for CapTel CAs, the use of technology aids such as Fastran be acknowledged as allowable in order to meet the competency skill requirements.

An additional requirement, typed ASL, is not used in CapTel calls. A CapTel user speaks with their own voice the same way they would in a standard VCO call, and the hearing party speaks in response, thus there is never an instance where the user would use ASL. Because CapTel CAs never participate directly in any way in a CapTel conversation, CapTel CAs simply would never be in a situation where they would need to be interpreting typed ASL and thus this requirement is not applicable to CapTel.

2) Provision of oral-to-typed CA tests.

Testing of a CapTel CA's performance skills is done based on the appropriate skill needed for CapTel transcription. Oral-to-*text* transcription tests using voice recognition is the appropriate test for CapTel CAs. The CA's word per minute transmission output and performance level is dependent on their skill in using the voice recognition system with only a very minimal amount of actual keyboard based typing (less than 2% of the conversation in most cases). To the user, the method of transcribing the voice of the other party into a text stream, whether by typing or by voice recognition or any combination of the two, is not important, but rather the speed and accuracy of the text. As in 1) above, the Commission has acknowledged that improving the CA's *typing speed* may be done using technological aids such as Fastran voice recognition, therefore Ultratec believes the oral-to-typed test requirement for CapTel CAs could reasonably be interpreted as being oral-to-*text* testing.

3) CA gender preferences.

Both parties involved in a CapTel call speak for themselves thus their gender is reflected naturally by their own voices. Consumer comments filed with the Commission have noted that one of the strong attributes of CapTel is the transparency of the CA. In a traditional relay call the TTY participant may wish to have their call voiced by a CA of the same gender. However, a CapTel call never involves the CA speaking or interacting with either participant at any time during the call. The CA is anonymous thus CA gender selection is not applicable to CapTel.

4) TRS capable of communicating with ASCII and Baudot format.

Just as VRS and STS do not make use of ASCII or Baudot formats, CapTel does not use ASCII or Baudot for transmission. CapTel uses simultaneous voice and data protocol based on V.32.

The current TTY protocols referenced in the TRS rules do not support CapTel's need for both voice and data simultaneously. Therefore, the ASCII and Baudot format requirement is not applicable to CapTel just like VRS does not make use of these protocol formats.

5) CA cannot refuse single or sequential calls.

When placing a call, CapTel users dial the number they wish to reach directly without CA involvement in the call set up. This capability is called *Dial Through*. The CA is brought into the call automatically via the technology. The CapTel user has complete control of each and every call they make. The CA has no way to refuse a call or process a sequential call. The CAs only role is to transcribe the conversation into text thus this rule is not applicable to CapTel.

6) Calls from hearing party to CapTel users.

Calls placed to CapTel users are dialed via a toll free access number. The caller is prompted by a recording to enter the number they wish to call and the call is automatically processed. If the caller has a touchtone phone, the number may be entered directly via their touchtone keypad. If the user has a rotary phone, they will be prompted by a recording to say out loud the number they wish to call, which is then processed. There is no CA interaction with the calling party for call set up or at any time during the Call thus the CA has no way to refuse a call or process a sequential call. CapTel Consumers have stated that CapTel CA transparency is of significant value to them and one of CapTel's most desirable attributes.

7) Emergency call handling.

The CapTel telephone service will meet FCC requirements for emergency call handling. The CapTel service will route 9-1-1 calls through the CapTel service center and then to the nearest/most appropriate PSAP using the same techniques traditional TRS providers now use for handling 9-1-1 TRS calls.

In addition, Ultratec is currently investigating several *alternative* methods of possible 9-1-1 access for CapTel users. In the event our testing of such alternative methods proves advantageous to CapTel users, Ultratec will submit these findings to the FCC for review.

If you have any questions regarding these discussion points, please feel free to contact me at pam.holmes@ultratec.com or 608-238-5400 Voice/TTY.

Sincerely,

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